



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D. C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/779,152	02/08/2001	Susan L. Acton	MNI-172CP2

CONFIRMATION NO. 4228

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



\*OC00000005884751\*

Date Mailed: 03/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

09779152 02082001 MNI-172CP2

PART 3 - OFFICE COPY

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T0T00T 23T6260

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Susan L. Acton, *et al.*

Serial No.: 09/779,152

Filed: February 8, 2001

For: *Diagnostic Assays and Kits for Body Mass and Cardiovascular Disorders*

Attorney Docket No.: MNI-172CP2

Group Art Unit: 1645

Examiner: Not Yet Assigned

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

September 27, 2001

Date of Signature and of Mail Deposit

By:

DeAnn F. Smith, Esq.

Reg. No. 36,683

Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Dear Sir:

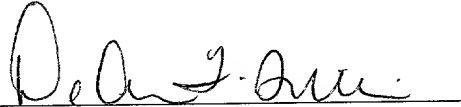
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated March 29, 2001, Applicants' attorney submits herewith two executed Declaration, Petition and Powers of Attorney for Patent Application, along with 18 pages of substitute drawings (Figures 1-9) for the above-identified patent application. A check in the amount of \$130.00 is enclosed to cover the total amount owed by Applicants (\$130.00

surcharge), based on large entity status. A Request for Four Month Extension of Time is being filed concurrently herewith.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. §§1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



DeAnn F. Smith, Esq.

Reg. No. 36,683

Attorney for Applicants

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Dated: September 27, 2001

09779152-10101